

FIFTH DAY - JANUARY 11, 2005**LEGISLATIVE JOURNAL****NINETY-NINTH LEGISLATURE
FIRST SESSION****FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 11, 2005

PRAYER

The prayer was offered by Senator Schrock.

ROLL CALL

Pursuant to adjournment, the Legislature met at 11:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Brashear, Landis, and Mines who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourth day was approved.

MOTION - Adopt Temporary Rules

Senator Hudkins moved that the rules, as now in our possession, be adopted for today only, Tuesday, January 11, 2005.

The motion prevailed.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB 135	Urban Affairs
LB 136	Transportation and Telecommunications
LB 137	Natural Resources
LB 138	Education
LB 139	Natural Resources
LB 140	Natural Resources
LB 141	Education
LB 142	Education
LB 143	Judiciary

LB 144	Nebraska Retirement Systems
LB 145	Education
LB 146	Education
LB 147	Revenue
LB 148	Judiciary
LB 149	Banking, Commerce and Insurance
LB 150	Agriculture
LB 151	Judiciary
LB 152	Judiciary
LB 153	Natural Resources
LB 154	Natural Resources
LB 155	Revenue
LB 156	Transportation and Telecommunications
LB 157	Transportation and Telecommunications
LB 158	Health and Human Services
LB 159	Revenue
LB 160	Executive Board
LB 161	Urban Affairs
LB 162	Natural Resources
LB 163	Urban Affairs
LB 164	Health and Human Services
LB 165	Nebraska Retirement Systems
LB 166	Business and Labor
LB 167	Government, Military and Veterans Affairs
LB 168	Judiciary
LB 169	Urban Affairs
LB 170	Banking, Commerce and Insurance
LB 171	Banking, Commerce and Insurance
LB 172	Revenue
LB 173	Judiciary
LB 174	Health and Human Services
LB 175	Health and Human Services
LB 176	Health and Human Services
LB 177	Health and Human Services
LB 178	Judiciary
LB 179	Judiciary
LB 181	Judiciary
LB 182	Health and Human Services
LB 183	Appropriations
LB 184	Appropriations
LB 185	Transportation and Telecommunications
LB 186	Urban Affairs
LB 187	Government, Military and Veterans Affairs
LB 188	Government, Military and Veterans Affairs
LB 189	Natural Resources
LB 190	Natural Resources
LB 191	Natural Resources
LB 192	Business and Labor
LB 193	Health and Human Services

LB 194	Judiciary
LB 195	Appropriations
LB 196	Education
LB 197	Education
LB 198	Education
LB 199	Education
LB 200	Judiciary
LB 201	General Affairs
LB 202	Transportation and Telecommunications
LB 203	Health and Human Services
LB 204	Health and Human Services
LB 205	Health and Human Services
LB 206	Judiciary
LB 207	Judiciary
LB 208	Appropriations
LB 209	General Affairs
LB 210	General Affairs
LB 211	General Affairs
LB 212	Banking, Commerce and Insurance
LB 213	Judiciary
LB 214	Government, Military and Veterans Affairs
LB 215	Nebraska Retirement Systems
LB 216	Revenue
LB 217	Government, Military and Veterans Affairs
LB 218	Judiciary
LB 219	Business and Labor
LB 220	Transportation and Telecommunications
LB 221	Transportation and Telecommunications
LB 222	Agriculture
LB 223	Education
LB 224	Revenue
LB 225	Natural Resources
LB 226	Natural Resources
LB 227	Appropriations
LB 228	Revenue
LB 229	Education
LB 230	Business and Labor
LB 231	Revenue
LB 232	Government, Military and Veterans Affairs

Allan, Tamas R. - Nebraska State Fair Board - Agriculture

Augustine, Samuel - State Board of Health - Health and Human Services

Baumgartner, Shawn J. - Board of Emergency Medical Services - Health and Human Services

Benesch, Kevin - Child Abuse Prevention Fund Board - Health and Human Services

Blank, Denis - Public Employees Retirement Board - Nebraska Retirement Systems

Boyle, Anne - Nebraska Transit and Rail Advisory Council - Transportation and Telecommunications

Brewster, Charles - Crime Victim's Reparations Committee - Judiciary

Brodersen, Charles J. "Tod" - Nebraska Ethanol Board - Natural Resources

Bromm, Vicki P. - Nebraska Arts Council - General Affairs

Brueggeman, William - Crime Victim's Reparations Committee - Judiciary

Brush, William - Rural Health Advisory Commission - Health and Human Services

Burke, Jerrod - Game and Parks Commission - Natural Resources

Carpenter, Stan - Nebraska Educational Telecommunications Commission - Education

Catalan, David - Nebraska Arts Council - General Affairs

Cullan, David J. - Commission of Industrial Relations - Business and Labor

Danon, Steven - State Emergency Response Commission - Government, Military and Veterans Affairs

DeLiberty, Richard - Behavioral Health Administrator - Health and Human Services

DiMartino, Thomas - Boiler Safety Code Advisory Board - Business and Labor

Discoe, Edward - State Board of Health - Health and Human Services

Dunn, Robert - Board of Emergency Medical Services - Health and Human Services

Eisenhauer, Donald - State Emergency Response Commission - Government, Military and Veterans Affairs

Eitel, Duane - Nebraska Transit and Rail Advisory Council - Transportation and Telecommunications

Elwell, Glenn - Public Employees Retirement Board - Nebraska Retirement Systems

Fattig, Martin L. - Rural Health Advisory Commission - Health and Human Services

Figard, Roger - Nebraska Transit and Rail Advisory Council -
Transportation and Telecommunications

George, Riley H. - State Electrical Board - General Affairs

Gilfillan, David - Nebraska Transit and Rail Advisory Council -
Transportation and Telecommunications

Gordon, James E. - Foster Care Review Board - Health and Human Services

Harbaugh, Mary - Nebraska Educational Telecommunications Commission
- Education

Harris, Marilyn - Coordinating Commission for Postsecondary Education -
Education

Heider, Susan - Nebraska Information Technology Commission -
Transportation and Telecommunications

Hughes, Rommie J. - Board of Emergency Medical Services - Health and
Human Services

Hull, Jess - Nebraska Motor Vehicle Industry Licensing Board -
Transportation and Telecommunications

Janssen, Georgia - Nebraska Transit and Rail Advisory Council -
Transportation and Telecommunications

Jenkins, James J. - Nebraska Ethanol Board - Natural Resources

Kasl, Martin - Nebraska Boiler Safety Code Advisory Board - Business and
Labor

Keller, M. Jane - Board of Educational Lands and Funds - Education

Kohtz, Donald - Nebraska Power Review Board - Natural Resources

Korell, Roger - Natural Resources Commission - Natural Resources

Kunze, Ken - Nebraska Power Review Board - Natural Resources

Lans, Benjamin B. - Board of Emergency Medical Services - Health and
Human Services

Lazure, Linda - State Board of Health - Health and Human Services

Lewis, Stephen - Board of Trustees of the Nebraska State Colleges -
Education

List, Pamela H. - Rural Health Advisory Commission - Health and Human Services

MacTaggart, Stuart - Department of Aeronautics - Government, Military and Veterans Affairs

Maddux, John - Nebraska Investment Council - Nebraska Retirement Systems

Madsen, Wayne - Natural Resources Commission - Natural Resources

McBeth, Steve - Nebraska Transit and Rail Advisory Council - Transportation and Telecommunications

McCollister, Steve - Accountability and Disclosure Commission - Government, Military and Veterans Affairs

McGinn, Joellen - Foster Care Review Board - Health and Human Services

Mullen, Paul - Nebraska Transit and Rail Advisory Council - Transportation and Telecommunications

Mulligan, Thomas - Nebraska Transit and Rail Advisory Council - Transportation and Telecommunications

Mulligan-Witt, Michele - Rural Health Advisory Commission - Health and Human Services

Munguia, Roberto - Nebraska Transit and Rail Advisory Council - Transportation and Telecommunications

Nelson, Richard P. - Department of Health and Human Services Finance and Support - Health and Human Services

Newman, Murray H. - Nebraska Arts Council - General Affairs

Ourada, Tom F. - State Electrical Board - General Affairs

Peterson, Carter - Board of Trustees of the Nebraska State Colleges - Education

Rasmussen, Clinton - Board of Emergency Medical Services - Health and Human Services

Raymond, Richard - Department of Health and Human Services Regulation and Licensure - Health and Human Services

Ruegg, Gary - Nebraska Transit and Rail Advisory Council - Transportation

and Telecommunications

Salansky, Paul - State Board of Health - Health and Human Services

Salumbides, Germelina - Nebraska Arts Council - General Affairs

Schenck, Gerald - Foster Care Review Board - Health and Human Services

Schiefen, James C. - State Board of Health - Health and Human Services

Seever, Samuel - State Personnel Board - Government, Military and Veterans Affairs

Seyfarth, John - Foster Care Review Board - Health and Human Services

Shepard, Mark - Public Employees Retirement Board - Nebraska Retirement Systems

Strand, James W. - Coordinating Commission for Postsecondary Education - Education

Taylor, Jr., Donald - Rural Health Advisory Commission - Health and Human Services

Trotter, Jerry P. (Pat) - Environmental Quality Council - Natural Resources

Tulipana, Peter - Child Abuse Prevention Fund Board - Health and Human Services

Van Marter, Jr., Jim - Natural Resources Commission - Natural Resources

Vierk, Richard J. - Nebraska Arts Council - General Affairs

Westcott, Michael L. - Board of Emergency Medical Services - Health and Human Services

Westerman, Gary - State Board of Health - Health and Human Services

Woods, Donna - Nebraska Arts Council - General Affairs

Ziebarth, James J. - Game and Parks Commission - Natural Resources

(Signed) Pat Engel, Chairperson
Legislative Council, Executive Board

NOTICE OF COMMITTEE HEARINGS
Banking, Commerce and Insurance
 Room 1507

LB 59	Tuesday, January 18, 2005	1:30 p.m.
LB 88	Tuesday, January 18, 2005	1:30 p.m.
LB 118	Tuesday, January 18, 2005	1:30 p.m.
LB 119	Tuesday, January 18, 2005	1:30 p.m.

(Signed) Mick Mines, Chairperson

Transportation and Telecommunications
 Room 1113

LB 78	Tuesday, January 18, 2005	1:30 p.m.
LB 83	Tuesday, January 18, 2005	1:30 p.m.
LB 80	Tuesday, January 18, 2005	1:30 p.m.
LB 79	Tuesday, January 18, 2005	1:30 p.m.
LB 24	Tuesday, January 18, 2005	1:30 p.m.
LB 82	Tuesday, January 18, 2005	1:30 p.m.
LB 77	Tuesday, January 18, 2005	1:30 p.m.

(Signed) Tom Baker, Chairperson

ANNOUNCEMENTS

The Transportation and Telecommunications Committee elected Senator Smith as Vice Chairperson.

The Appropriations Committee elected Senator Kruse as Vice Chairperson.

The Health and Human Services Committee elected Senator Byars as Vice Chairperson.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 301. Introduced by Health and Human Services Committee: Jensen, 20, Chairperson; Byars, 30; Cunningham, 40; Erdman, 47; Howard, 9; Johnson, 37; Stuthman, 22.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 68-156, 68-1017.02, 68-1020 to 68-1021.01, 68-1037, 68-1048, 68-1604, 71-147, 71-1,104.01, 71-501.02, 71-503.01, 71-505, 71-519 to 71-523, 71-529, 71-601, 71-601.01, 71-605, 71-613, 71-640.01, 71-642, 71-649, 71-701, 71-703, 71-705 to 71-707, 71-1628.05 to 71-1628.07, 71-1913.01 to 71-1913.03, 71-2081, 71-3503, 71-3524, 71-5177, 71-5647, 71-5649, 71-5653, 71-5655, 71-5714, 71-7617 to 71-7622, 79-217 to

79-219, 81-656, and 81-6,101, Reissue Revised Statutes of Nebraska, and sections 71-1,155, 81-3004, and 81-3102, Revised Statutes Supplement, 2004; to change and eliminate provisions relating to reports, food stamp and medical assistance benefits, homeless shelter assistance, death certificates, newborn screening tests, temporary veterinarian licenses, and emergency medical services; to transfer responsibility for the Women's Health Initiative of Nebraska, the Office of Rural Health, and the tobacco-related public health program; to name the Vital Statistics Act; to change and provide penalties; to redefine transuranic waste; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 68-1064, 68-1716, and 71-1,161, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 302. Introduced by Price, 26.

A BILL FOR AN ACT relating to cities of the primary class; to amend section 15-201, Reissue Revised Statutes of Nebraska; to grant powers relating to trees; and to repeal the original section.

LEGISLATIVE BILL 303. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to postsecondary education; to amend sections 85-2001, 85-2002, and 85-2004 to 85-2008, Revised Statutes Supplement, 2004; to change provisions of the Community Scholarship Foundation Program Act; and to repeal the original sections.

LEGISLATIVE BILL 304. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to education; to amend section 77-3442, Revised Statutes Supplement, 2004; to adopt the Education Buildings Review Commission Act; to change provisions relating to a levy limitation; and to repeal the original section.

LEGISLATIVE BILL 305. Introduced by Byars, 30.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-5707, Revised Statutes Supplement, 2004; to prohibit use of tobacco products in educational institutions; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 306. Introduced by Byars, 30.

A BILL FOR AN ACT relating to the Uniform Licensing Law; to amend section 71-168, Reissue Revised Statutes of Nebraska, and section 71-101, Revised Statutes Supplement, 2004; to provide for fingerprinting and criminal background checks; to change requirements for reporting certain occurrences; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 307. Introduced by Stuhr, 24.

A BILL FOR AN ACT relating to children; to create the Task Force on Safe Havens for Abandoned Infants; to provide duties; and to declare an emergency.

LEGISLATIVE BILL 308. Introduced by Redfield, 12.

A BILL FOR AN ACT relating to personal property; to amend section 25-21,194, Reissue Revised Statutes of Nebraska; to change and provide damages for shoplifting and conversion actions; and to repeal the original section.

LEGISLATIVE BILL 309. Introduced by Connealy, 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Reissue Revised Statutes of Nebraska; to create an investment tax credit; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 310. Introduced by Connealy, 16.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 44-6408, 60-301, 60-501, 60-509, and 60-534, Reissue Revised Statutes of Nebraska; to change liability insurance and financial responsibility requirements; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 311. Introduced by Byars, 30; Cunningham, 40; Janssen, 15; Jensen, 20; Johnson, 37; Stuthman, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 2004; to provide requirements for retail cigarette dealers relating to sales tax; to provide duties for the Department of Revenue; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 312. Introduced by Landis, 46.

A BILL FOR AN ACT relating to the Employment and Investment Growth Act; to amend sections 49-801.01, 77-4101, 77-4104, 77-4105, 77-4106, 77-4110, and 77-4112, Reissue Revised Statutes of Nebraska, and section 77-4103, Revised Statutes Supplement, 2004; to change investment and employment requirements as prescribed; to redefine a term; to provide tax incentives; to require disclosure of certain information; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 313. Introduced by Landis, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,188, Reissue Revised Statutes of Nebraska; to change tax incentive

provisions; and to repeal the original section.

LEGISLATIVE BILL 314. Introduced by Howard, 9; Aguilar, 35; Byars, 30; Connealy, 16; Cornett, 45; Cunningham, 40; Flood, 19; Kopplin, 3; McDonald, 41; Preister, 5; Raikes, 25; Redfield, 12; Schrock, 38; Stuthman, 22; Thompson, 14.

A BILL FOR AN ACT relating to state officers; to amend section 84-108.01, Reissue Revised Statutes of Nebraska; to declare Nebraska Heritage Week; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 315. Introduced by Howard, 9; Aguilar, 35; Cornett, 45; Kruse, 13; Preister, 5.

A BILL FOR AN ACT relating to conveyances; to require a notice regarding registered sex offender information as prescribed.

LEGISLATIVE BILL 316. Introduced by Howard, 9.

A BILL FOR AN ACT relating to computers; to adopt the Consumer Protection Against Computer Spyware Act.

LEGISLATIVE BILL 317. Introduced by Kremer, 34; Baker, 44; Burling, 33; Cunningham, 40; Erdman, 47; Fischer, 43; Dw. Pedersen, 39; Preister, 5; Schrock, 38; Smith, 48; Wehrbein, 2.

A BILL FOR AN ACT relating to agriculture; to amend section 2-2701.01, Reissue Revised Statutes of Nebraska; to change provisions relating to tractor testing; and to repeal the original section.

LEGISLATIVE BILL 318. Introduced by Johnson, 37.

A BILL FOR AN ACT relating to wholesale drug distributors; to amend sections 71-147, 71-168, 71-168.02, 71-1,198, 71-1,339, and 71-2610.01, Reissue Revised Statutes of Nebraska, and section 71-162, Revised Statutes Supplement, 2004; to adopt the Wholesale Licensure and Prescription Medication Integrity Act; to eliminate the Wholesale Drug Distributor Licensing Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 71-7401 to 71-7426, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 319. Introduced by Jensen, 20.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 71-4608 and 75-156, Reissue Revised Statutes of Nebraska; to change civil penalties provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 320. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to the Nebraska Correctional Health Care Services Act; to amend section 83-4,161, Revised Statutes Supplement, 2004; to change provisions relating to screening for communicable diseases; and to repeal the original section.

LEGISLATIVE BILL 321. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to state personnel; to amend section 81-1316, Revised Statutes Supplement, 2004; to exempt the chief executive officer of facilities operated by the Department of Correctional Services and the medical director of the department from the State Personnel System; and to repeal the original section.

LEGISLATIVE BILL 322. Introduced by Schimek, 27; Aguilar, 35; Bourne, 8; Combs, 32; Connealy, 16; Howard, 9; Johnson, 37; Kruse, 13; Dw. Pedersen, 39; Price, 26; Synowiecki, 7; Thompson, 14.

A BILL FOR AN ACT relating to domestic relations; to amend sections 42-347, 42-364, 43-2,113, and 43-512.15, Reissue Revised Statutes of Nebraska; to define terms; to change and provide provisions relating to child custody and visitation determinations and modifications; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 323. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Winery and Grape Producers Promotional Fund.

LEGISLATIVE BILL 324. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Reissue Revised Statutes of Nebraska; to define public purpose for property tax exemption purposes; and to repeal the original section.

LEGISLATIVE BILL 325. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to ethanol; to amend sections 2-3622, 2-3623, 2-3633, and 66-1345.02, Reissue Revised Statutes of Nebraska, and sections 66-726, 66-1333, 66-1345, and 66-1345.01, Revised Statutes Supplement, 2004; to change fees as prescribed; to eliminate the Nebraska Ethanol Board and a fund; to transfer powers and duties; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 2-3627 and 66-1335 to 66-1342, Reissue Revised Statutes of Nebraska, and section 66-1334, Revised Statutes Supplement, 2004.

LEGISLATIVE BILL 326. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to schools; to amend section 79-458, Reissue Revised Statutes of Nebraska to change provisions relating to freeholders' petitions; and to repeal the original section.

LEGISLATIVE BILL 327. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to schools; to amend section 79-458, Reissue Revised Statutes of Nebraska; to change provisions relating to freeholder petitions; and to repeal the original section.

LEGISLATIVE BILL 328. Introduced by Stuhr, 24.

A BILL FOR AN ACT relating to the University of Nebraska; to amend section 85-106, Reissue Revised Statutes of Nebraska; to authorize a change in the retirement contribution rate; and to repeal the original section.

LEGISLATIVE BILL 329. Introduced by Stuhr, 24.

A BILL FOR AN ACT relating to retirement; to amend sections 79-514 and 79-902, Reissue Revised Statutes of Nebraska; to authorize certain contributions related to school plans; to redefine a term; and to repeal the original sections.

LEGISLATIVE BILL 330. Introduced by Loudon, 49; Burling, 33; Cunningham, 40; Erdman, 47; Fischer, 43; Kremer, 34; McDonald, 41; Wehrbein, 2.

A BILL FOR AN ACT relating to livestock; to amend section 54-199, Reissue Revised Statutes of Nebraska; to change provisions relating to livestock brands; and to repeal the original section.

LEGISLATIVE BILL 331. Introduced by McDonald, 41; Aguilar, 35; Combs, 32; Flood, 19; Jensen, 20; Price, 26; Stuthman, 22.

A BILL FOR AN ACT relating to health care; to amend sections 71-2422, 71-2423, 71-2425, 71-2426, 71-2427, and 71-2429, Reissue Revised Statutes of Nebraska; to establish a registry for the cancer drug repository program; and to repeal the original sections.

LEGISLATIVE BILL 332. Introduced by McDonald, 41; Kruse, 13; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to the Nebraska Behavioral Health Services Act; to amend sections 71-805 and 71-817, Revised Statutes Supplement, 2004; to change provisions relating to problem gambling; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 333. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-4,120.01 and 60-4,124, Reissue Revised Statutes of Nebraska; to change provisions relating to holders of provisional operator's permits and holders of school permits; and to repeal the original sections.

LEGISLATIVE BILL 334. Introduced by Janssen, 15; Stuhr, 24.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-208, Reissue Revised Statutes of Nebraska, and sections 13-203, 13-204, 13-206, and 13-207, Revised Statutes Supplement, 2004; to change tax credit provisions of the Community Development Assistance Act; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 335. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to the Industrial Ground Water Regulatory Act; to amend sections 46-677, 46-686, 46-688, and 46-690, Reissue Revised Statutes of Nebraska; to provide an exemption as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 336. Introduced by Natural Resources Committee: Schrock, 38, Chairperson; Hudkins, 21; Kopplin, 3; Kremer, 34; Louden, 49; McDonald, 41; Smith, 48; Stuhr, 24; and Engel, 17.

A BILL FOR AN ACT relating to electricity; to adopt the Public Entities Mandated Project Charges Act; and to provide severability.

LEGISLATIVE BILL 337. Introduced by Janssen, 15; Connealy, 16; Kopplin, 3; Langemeier, 23; Dw. Pedersen, 39; Wehrbein, 2.

A BILL FOR AN ACT relating to political subdivisions; to amend section 13-2809, Revised Statutes Supplement, 2004; to change provisions relating to municipal counties; and to repeal the original section.

LEGISLATIVE BILL 338. Introduced by Smith, 48; Brown, 6; Erdman, 47.

A BILL FOR AN ACT relating to the Nebraska Certified Nurse Midwifery Practice Act; to amend sections 44-513, 71-604, 71-1740, 71-1743, 71-1747, 71-1748, 71-1749, 71-1752, 71-1753, 71-1755, 71-1757, and 71-2048.01, Reissue Revised Statutes of Nebraska; to provide for independent practice; to redefine terms and eliminate definitions; to provide for insurance reimbursement and clinical privileges; to harmonize provisions; to repeal the original sections; and to outright repeal sections 71-1746, 71-1750, 71-1751, 71-1754, and 71-1763, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 339. Introduced by Smith, 48; Erdman, 47.

A BILL FOR AN ACT relating to midwifery practice; to amend sections 71-1,103, 71-604, and 71-1405, Reissue Revised Statutes of Nebraska, and sections 25-21,188.02, 71-101, 71-102, 71-107, 71-110, 71-112, 71-113, 71-116, and 71-162, Revised Statutes Supplement, 2004; to adopt the Licensed Midwifery Practice Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 340. Introduced by Smith, 48.

A BILL FOR AN ACT relating to public power districts; to amend sections 32-512, 70-610, 70-619, and 70-621, Reissue Revised Statutes of Nebraska; to change eligibility requirements for the board of directors of certain districts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 341. Introduced by Baker, 44.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-463, Revised Statutes Supplement, 2004; to change provisions relating to the Enhanced Wireless 911 Fund; and to repeal the original section.

LEGISLATIVE BILL 342. Introduced by Baker, 44.

A BILL FOR AN ACT relating to natural resources; to amend section 2-1569, Reissue Revised Statutes of Nebraska, and section 2-1568, Revised Statutes Supplement, 2004; to eliminate a technical advisory committee; to harmonize provisions; to repeal the original sections; and to outright repeal section 2-1570, Revised Statutes Supplement, 2004.

LEGISLATIVE BILL 343. Introduced by Baker, 44.

A BILL FOR AN ACT relating to the Nebraska Public Safety Wireless Communication System Act; to amend sections 86-401, 86-410, 86-414, 86-415, 86-418, 86-516, 86-543, and 86-572, Revised Statutes Supplement, 2004; to eliminate the alliance and the Public Safety Wireless Communication Advisory Board; to harmonize provisions; to repeal the original sections; to outright repeal sections 86-405, 86-406, 86-411 to 86-413, and 86-419, Revised Statutes Supplement, 2004; and to declare an emergency.

LEGISLATIVE BILL 344. Introduced by Baker, 44.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-101, 86-103, 86-124, and 86-125, Revised Statutes Supplement, 2004; to give the Public Service Commission jurisdiction over certain aspects of wireless telecommunications service and wireless carriers; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 345. Introduced by Brown, 6.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-521 and 28-523, Reissue Revised Statutes of Nebraska; to change provisions relating to criminal trespass and littering; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 346. Introduced by Agriculture Committee: Kremer, 34, Chairperson; Burling, 33; Cunningham, 40; Erdman, 47; Fischer, 43; Preister, 5; Wehrbein, 2.

A BILL FOR AN ACT relating to agriculture; to amend sections 77-2715.07, 77-5201, 77-5203, 77-5208, 77-5209, and 77-5211 to 77-5213, Reissue Revised Statutes of Nebraska; to change provisions of the Beginning Farmer Tax Credit Act; to provide a tax credit; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 347. Introduced by Bourne, 8; Howard, 9.

A BILL FOR AN ACT relating to schools; to amend sections 79-232, 79-237, and 79-238, Reissue Revised Statutes of Nebraska; to provide for socioeconomic integration plans and standards relating to the enrollment option program; and to repeal the original sections.

LEGISLATIVE BILL 348. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to courts; to amend section 25-1140.09, Reissue Revised Statutes of Nebraska; to change provisions relating to bills of exceptions; to provide duties; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 349. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to courts; to amend section 24-301.02, Revised Statutes Supplement, 2004; to reallocate district court judgeships; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 350. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to school funding; to amend sections 79-214, 79-528, 79-1003, and 79-1007.01, Reissue Revised Statutes of Nebraska, and sections 77-3442 and 79-1028, Revised Statutes Supplement, 2004; to change provisions relating to levy limitations and reports; to define and redefine terms; to permit districts to exceed the applicable allowable growth rate as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 351. Introduced by Preister, 5.

A BILL FOR AN ACT relating to the Environmental Quality Council; to amend section 81-1503, Reissue Revised Statutes of Nebraska; to change membership provisions; and to repeal the original section.

LEGISLATIVE BILL 352. Introduced by Preister, 5.

A BILL FOR AN ACT relating to community colleges; to provide for inapplicability of certain employment rights; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 353. Introduced by Preister, 5.

A BILL FOR AN ACT relating to community colleges; to amend section 85-1517, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Supplement, 2004; to change property tax levy provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 354. Introduced by Preister, 5.

A BILL FOR AN ACT relating to labor; to amend section 48-217, Reissue Revised Statutes of Nebraska; to provide a service fee for employees who are not members of certain labor organizations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 355. Introduced by Janssen, 15; Connealy, 16.

A BILL FOR AN ACT relating to cemeteries; to provide for the transfer of cemetery ownership from cemetery associations to cities and villages.

LEGISLATIVE BILL 356. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-518 and 77-3442, Revised Statutes Supplement, 2004; to redefine a term; to change levy limitations for cities, villages, and counties; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 357. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to schools; to amend sections 79-4,108 and 79-1010, Reissue Revised Statutes of Nebraska; to change provisions relating to unified systems; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 358. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3442, Revised Statutes Supplement, 2004; to change tax levy provisions

relating to payment of judgments against unified school systems; and to repeal the original section.

LEGISLATIVE BILL 359. Introduced by Kremer, 34.

A BILL FOR AN ACT relating to the Department of Natural Resources; to amend section 61-201, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to qualifications of the director; and to repeal the original section.

LEGISLATIVE BILL 360. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-507, Reissue Revised Statutes of Nebraska; to change provisions relating to burglary; and to repeal the original section.

LEGISLATIVE BILL 361. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to county court; to amend section 24-517, Revised Statutes Supplement, 2004; to change jurisdictional provisions; and to repeal the original section.

LEGISLATIVE BILL 362. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-504, Reissue Revised Statutes of Nebraska; to change procedures relating to felony complaints; and to repeal the original section.

LEGISLATIVE BILL 363. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-201, Revised Statutes Supplement, 2004; to change penalty provisions for criminal attempt; and to repeal the original section.

LEGISLATIVE BILL 364. Introduced by Nebraska Retirement Systems Committee: Stuhr, 24, Chairperson; Erdman, 47; D. Pederson, 42; Price, 26; Synowiecki, 7.

A BILL FOR AN ACT relating to school retirement; to amend sections 79-978, 79-990, 79-991, 79-992, and 79-9,101, Reissue Revised Statutes of Nebraska; to redefine terms; to change calculations as prescribed; to change provisions relating to prior service credit; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 365. Introduced by Nebraska Retirement Systems Committee: Stuhr, 24, Chairperson; Erdman, 47; D. Pederson, 42; Price, 26; Synowiecki, 7.

A BILL FOR AN ACT relating to retirement; to amend section 84-1501,

Revised Statutes Supplement, 2004; to change provisions relating to membership on the Public Employees Retirement Board; and to repeal the original section.

LEGISLATIVE BILL 366. Introduced by Nebraska Retirement Systems Committee: Stuhr, 24, Chairperson; Erdman, 47; D. Pederson, 42; Price, 26; Synowiecki, 7.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2306, 84-1307, and 84-1308, Revised Statutes Supplement, 2004; to change membership provisions for the state employees and county employees retirement systems; to change the contribution rate for the state employees retirement system; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 367. Introduced by Nebraska Retirement Systems Committee: Stuhr, 24, Chairperson; Erdman, 47; D. Pederson, 42; Price, 26; Synowiecki, 7.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2308 and 24-703, Revised Statutes Supplement, 2004; to authorize and change provisions relating to late payment fees; and to repeal the original sections.

LEGISLATIVE BILL 368. Introduced by Nebraska Retirement Systems Committee: Stuhr, 24, Chairperson; Erdman, 47; D. Pederson, 42; Price, 26; Synowiecki, 7.

A BILL FOR AN ACT relating to retirement; to amend section 79-958, Reissue Revised Statutes of Nebraska; to change employee contributions to the School Retirement Fund; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 369. Introduced by Nebraska Retirement Systems Committee: Stuhr, 24, Chairperson; Erdman, 47; D. Pederson, 42; Price, 26; Synowiecki, 7.

A BILL FOR AN ACT relating to retirement; to amend section 24-703, Revised Statutes Supplement, 2004; to change contributions by judges as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 370. Introduced by Combs, 32; Byars, 30; Connealy, 16; Janssen, 15; Kruse, 13; Dw. Pedersen, 39; D. Pederson, 42; Preister, 5; Price, 26; Schimek, 27; Schrock, 38.

A BILL FOR AN ACT relating to public health and welfare; to provide for colorectal cancer screenings as prescribed.

LEGISLATIVE BILL 371. Introduced by Combs, 32; Flood, 19; Hudkins, 21; Kruse, 13; Loudon, 49.

A BILL FOR AN ACT relating to revenue; to amend sections 77-3501.01 and 77-3505.02, Reissue Revised Statutes of Nebraska, and section 77-3506.02, Revised Statutes Supplement, 2004; to change provisions relating to homestead exemptions; and to repeal the original sections.

LEGISLATIVE BILL 372. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to public utilities; to amend sections 14-2110 and 14-2147, Reissue Revised Statutes of Nebraska, and sections 14-2109 and 14-2146, Revised Statutes Supplement, 2004; to replace a term; and to repeal the original sections.

LEGISLATIVE BILL 373. Introduced by Bourne, 8; Schimek, 27.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend sections 84-907.06, 84-907.07, and 84-920, Reissue Revised Statutes of Nebraska; to change provisions relating to the act; to provide for legislative review of rules and regulations as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 374. Introduced by Kruse, 13; Byars, 30; Kopplin, 3; Price, 26; Schrock, 38; Stuhr, 24.

A BILL FOR AN ACT relating to state government; to amend section 84-1604, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility for state insurance benefits; and to repeal the original section.

LEGISLATIVE BILL 375. Introduced by Kruse, 13; Combs, 32; Cornett, 45; Howard, 9; Kopplin, 3; Price, 26; Wehrbein, 2.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 44-6408, 60-301, 60-501, 60-509, and 60-534, Reissue Revised Statutes of Nebraska; to change liability insurance and financial responsibility requirements; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 376. Introduced by Kruse, 13; Hudkins, 21; McDonald, 41; Price, 26.

A BILL FOR AN ACT relating to appropriations; to state intent relating to behavioral health care services; to define terms; and to require reports to the Appropriations Committee and others by providers and the Nebraska Health and Human Services System.

LEGISLATIVE BILL 377. Introduced by Kruse, 13; Brown, 6; Burling, 33; Combs, 32; Engel, 17; Friend, 10; Howard, 9; Hudkins, 21; Loudon, 49; McDonald, 41; Pahls, 31; Price, 26; Redfield, 12; Schimek, 27; Smith, 48.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-308 and 28-310, Reissue Revised Statutes of Nebraska; to redefine assault in the first and third degrees; to prohibit assault by AIDS or HIV as prescribed; to provide penalties; to define terms; and to repeal the original sections.

LEGISLATIVE BILL 378. Introduced by Howard, 9; Beutler, 28; Bourne, 8; Connealy, 16; Kopplin, 3; Kruse, 13; Preister, 5; Price, 26.

A BILL FOR AN ACT relating to schools; to create and provide duties for the Commission on School Finance; and to provide a duty for the Legislature.

RESOLUTIONS

LEGISLATIVE RESOLUTION 11CA. Introduced by Executive Board: Engel, 17, Chairperson; Beutler, 28; Chambers, 11; McDonald, 41; Stuthman, 22; and Janssen, 15.

THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2006 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article IV, section 1:

IV-1 The executive officers of the state shall be the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, and the heads of such other executive departments as set forth herein or as may be established by law. The Legislature may provide for the placing of the above named officers as heads over such departments of government as it may by law establish.

The Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, and State Treasurer shall be chosen at the general election held in November 1974, and in each alternate even-numbered year thereafter, for a term of four years and until their successors shall be elected and qualified.

Each candidate for Governor shall select a person to be the candidate for Lieutenant Governor on the general election ballot. In the general election one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor. The Governor shall be ineligible to the office of Governor for four years next after the expiration of two consecutive terms for which he or she was elected.

The records, books, and papers of all executive officers shall be kept at the seat of government. Executive officers shall reside within the State of Nebraska during their respective terms of office. Officers in the executive department of the state shall perform such duties as may be provided by law.

The heads of all executive departments established by law, other than those to be elected as provided herein, shall be appointed by the Governor,

with the consent of a majority of all members elected to the Legislature, but officers so appointed may be removed by the Governor. Subject to the provisions of this Constitution and as prescribed by the Legislature, the heads of the various executive or civil departments, including those to be elected as provided in this section, shall have power to appoint and remove all subordinate employees in their respective departments.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to authorize the Legislature to prescribe the manner of appointment and removal of subordinate employees of executive or civil departments.

For

Against.

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 12CA. Introduced by Schimek, 27.

THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2006 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 7:

III-7 At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. Each member of the Legislature shall receive a an annual salary of ~~not to exceed one~~ twenty-four thousand dollars per month during the term of his or her office. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than his or her salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the annual salary of members of the Legislature to twenty-four thousand dollars.

For
Against.

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 13CA. Introduced by Schimek, 27 .

THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2006 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, sections 7 and 19:

III-7 At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. ~~Each~~ Until January 3, 2007, each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. Commencing January 3, 2007, each member of the Legislature shall receive an annual salary of twenty-four thousand dollars during the term of his or her office which shall be adjusted beginning January 1, 2008, and every two years thereafter, by the average percentage pay increase negotiated for members of the state employee collective bargaining units for the prior fiscal year. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than his or her salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

III-19 (1) The Legislature shall never grant any extra compensation to any public officer, agent, or servant after the services have been rendered nor to any contractor after the contract has been entered into, except that retirement benefits of retired public officers and employees may be adjusted to reflect changes in the cost of living and wage levels that have occurred subsequent to the date of retirement.

(2) The compensation of any public officer, including any officer whose compensation is fixed by the Legislature, shall not be increased or diminished during his or her term of office, except that when there are members elected or appointed to the Legislature or the judiciary; or officers elected or appointed to a board or commission having more than one

member, and the terms of such members commence and end at different times, the compensation of all members ~~of the Legislature~~, of the judiciary, or of such board or commission may be increased or diminished at the beginning of the full term of any member thereof.

(3) Nothing in this section shall prevent local governing bodies from reviewing and adjusting vested pension benefits periodically as prescribed by ordinance.

(4) The surviving spouse of any retired public officer, agent, or servant, who has retired under a pension plan or system, shall be considered as having pensionable status and shall be entitled to the same benefits which may, at any time, be provided for or available to spouses of other public officers, agents, or servants who have retired under such pension plan or system at a later date, and such benefits shall not be prohibited by the restrictions of this section or of Article XIII, section 3 of ~~the Constitution of Nebraska~~ this Constitution.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the salary of members of the Legislature to twenty-four thousand dollars per year and to provide for adjustments every two years.

For

Against.

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 14CA. Introduced by Schimek, 27.

THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2006 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To repeal Article III, section 12:

Article III, section 12, of the Constitution of Nebraska is repealed.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to repeal term limit provisions for members of the Legislature.

For

Against.

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 15. Introduced by Smith, 48; Brown, 6; Cunningham, 40; Erdman, 47.

WHEREAS, the federal excise tax on communications was enacted in 1898 for the purpose of funding the Spanish-American War; and

WHEREAS, the tax was introduced as a "temporary" luxury tax; and

WHEREAS, telephone service is no longer a luxury but rather a necessity for consumers of all income levels; and

WHEREAS, the federal excise tax is regressive, as low-income Americans pay a higher percentage of their income for telephone services than high-income Americans; and

WHEREAS, telecommunications services are the infrastructure upon which new technologies, including the Internet, depend and therefor the telecommunications excise tax discourages expansion of both the telephone infrastructure and new technologies; and

WHEREAS, the federal excise tax on telecommunications flows into the general fund rather than being earmarked for a specific purpose; and

WHEREAS, both houses of Congress passed a repeal of the federal excise tax on telecommunications in 2000, which was vetoed by President William Jefferson Clinton.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature of the State of Nebraska requests its United States Senators to support the repeal of the federal excise tax on telecommunications.

2. That copies of this resolution be transmitted to the State of Nebraska's congressional delegation.

Laid over.

LEGISLATIVE RESOLUTION 16CA. Introduced by Schrock, 38; Aguilar, 35; Baker, 44; Brown, 6; Burling, 33; Byars, 30; Combs, 32; Connealy, 16; Cornett, 45; Cunningham, 40; Engel, 17; Fischer, 43; Flood, 19; Foley, 29; Howard, 9; Hudkins, 21; Janssen, 15; Johnson, 37; Kopplin, 3; Kremer, 34; Kruse, 13; Dw. Pedersen, 39; D. Pederson, 42; Preister, 5; Price, 26; Raikes, 25; Stuthman, 22; Thompson, 14.

THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2006 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 12:

III-12 ~~(1) No person shall be~~ (1)(a) Persons serving in the Legislature on January 1, 2001, are not eligible to serve as a member of the Legislature for four years next after the expiration of two consecutive terms regardless of the district represented.

~~(2) (b)~~ Service prior to January 1, 2001, as a member of the Legislature shall not be counted for the purpose of calculating consecutive terms in ~~subsection (1) subdivision (1)(a)~~ of this section.

~~(3) (c)~~ For the purpose of this section, service in office for more than one-

half of a term shall be deemed service for a term.

(d) This subsection terminates January 1, 2009.

(2) Except as provided in subsection (1) of this section, persons elected or appointed to the Legislature for terms beginning after January 1, 2001, shall be ineligible to the office of member of the Legislature for more than three consecutive full four-year terms.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change term limit provisions for the Legislature by limiting members elected or appointed for terms beginning after January 1, 2001, to three consecutive full four-year terms.

For

Against.

Referred to the Reference Committee.

PROPOSED RULES CHANGE

Senator Schimek offered the following proposed rules change:

Amend Rule 3 Section 5 (c) (ii)

The Executive Board is authorized to exercise jurisdiction over legislative bills and resolutions, including constitutional amendments, and hold hearings regarding such legislation when the issue presented by the legislative bill or resolution is one involving: a) the internal operations of the Legislature as a whole or in part or b) litigation or potential litigation wherein the Legislature or its members are parties. ~~of general import to the Legislature and its operations as a whole.~~ Such legislative hearings shall comply with the provisions in Rule 3, Sec. 13.

NOTICE OF COMMITTEE HEARINGS

Urban Affairs

Room 1510

LB 7	Tuesday, January 18, 2005	1:30 p.m.
LB 75	Tuesday, January 18, 2005	1:30 p.m.
LB 169	Tuesday, January 18, 2005	1:30 p.m.
LB 186	Tuesday, January 18, 2005	1:30 p.m.

(Signed) Mike Friend, Chairperson

Education

Room 1525

LB 125	Tuesday, January 18, 2005	1:30 p.m.
LB 124	Tuesday, January 18, 2005	1:30 p.m.
LB 126	Tuesday, January 18, 2005	1:30 p.m.

(Signed) Ron Raikes, Chairperson

Agriculture
Room 1524

LB 20	Tuesday, January 18, 2005	1:30 p.m.
LB 52	Tuesday, January 18, 2005	1:30 p.m.
LB 222	Tuesday, January 18, 2005	1:30 p.m.
LB 51	Tuesday, January 18, 2005	1:30 p.m.

(Signed) Bob Kremer, Chairperson

ANNOUNCEMENTS

The Revenue Committee elected Senator Connealy as Vice Chairperson.

The General Affairs Committee elected Senator Fischer as Vice Chairperson.

The Nebraska Retirement Systems Committee elected Senator Synowiecki as Vice Chairperson.

UNANIMOUS CONSENT - Add Cointroducers

Senator Price asked unanimous consent to have her name added as cointroducer to LB 43. No objections. So ordered.

Senator Cunningham asked unanimous consent to have his name added as cointroducer to LBs 34, 43, 67, 69, 70, 159, 173, and 189. No objections. So ordered.

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 62. No objections. So ordered.

Senators Johnson and Preister asked unanimous consent to have their names added as cointroducers to LB 28. No objections. So ordered.

Senator Baker asked unanimous consent to have his name added as cointroducer to LB 231. No objections. So ordered.

Senator Heidemann asked unanimous consent to have his name added as cointroducer to LB 273. No objections. So ordered.

Senator Stuthman asked unanimous consent to have his name added as cointroducer to LB 101. No objections. So ordered.

VISITORS

Visitors to the Chamber were Susan and Nick Breunig from Wahoo.

ADJOURNMENT

At 12:25 p.m., on a motion by Senator Redfield, the Legislature adjourned until 11:00 a.m., Wednesday, January 12, 2005.

Patrick J. O'Donnell
Clerk of the Legislature